

**TOWN COUNCIL
REGULAR MEETING
JANUARY 8, 1997**

1. PLEDGE OF ALLEGIANCE

The meeting was called to order at 7:01 p.m. by Mayor Venis and was followed by the Pledge of Allegiance.

2. ROLL CALL

Present were Mayor Venis, Vice-Mayor Cox and Councilmembers Bush, Kiar and Santini. Also present were Town Administrator Flatley, Town Attorney Webber, and Town Clerk Reinfeld recording the meeting.

3. OPEN PUBLIC MEETING

Mayor Venis advised the speakers of the Open Public Meeting procedures.

James Ale, 3672 SW 60 Terrace, stated that it was his understanding that with the hiring of LifeFleet, the Town's firefighters would receive EMS training. He questioned the status on this training. Mr. Flatley advised that only two firefighters were currently taking advantage of the training which was unfortunate as the Town paid for the training.

Debbie Apolinario, asked that signs indicating that horses were in the area and for traffic to slow down needed to be posted in the Oak Hill area.

Arthur Joseph, 13700 SW 18 Court, asked if lobbyists had to register in the Town. Mr. Webber replied negatively. Mr. Joseph indicated that an ordinance of this nature was needed to be approved by Council.

Mr. Joseph suggested that everyone read the letter to the editor in the Community News.

Mr. Joseph discussed the Davie Economic Development Forum newsletter and the vacant development in the Town. He indicated that redevelopment of the existing commercial properties were needed.

Mr. Joseph discussed the Town's proposal to provide \$4,000 for water connections to the residents for the proposed annexation of Ivanhoe Estates. He said that if the Town provided this incentive, the residents in Sunny Lane should be given free water.

Al Tyler, 8090 SW 19 Court, discussed the fire union negotiations and it seemed that the Town's negotiators were the "culprits" for the length of time it was taking.

Phyllis Kowal, 14491 SW 24 Street, discussed the actions that Officers Barry Dodge and Robert LaBelle were taking with the traffic problem in the area. She asked if anyone knew who wrote the letter to the editor in the Community News and questioned if it could be a fictitious person. Ms. Kowal asked that the letter be investigated.

Judy Paul, 14421 SW 24 Street, questioned if there were any plans for commercial property on Orange Drive. She said that a past Council had promised that Orange Drive would remain a rural road.

Ms. Paul congratulated Police Chief Jack Mackie on receiving another grant for additional police officers and questioned what happened to the personnel once the grant expired. Chief Mackie explained that it was possible to obtain additional funds at the end of the grant; however, the Town had agreed to provide the funding.

A brief recessed was taken and the meeting reconvened at 7:22 p.m.

4. PRESENTATIONS

4.1 1997 WestFair Update - Tim Sheehan

Mr. Sheehan provided an update on the WestFair events that would be held February 21 - March 2, 1997.

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4.2 Davie/Cooper City Chamber of Commerce

A representative from the Chamber was not able to be present.

Chief Mackie announced that the had Town received a \$900,000 grant for the hiring of 12 police officers. He indicated that the Town received the largest grant awarded in the State of Florida which was 13% of all the funds for the State.

5. OCCUPATIONAL LICENSES

Home Occupational License

5.1 Made With Pride Baskets & Gifts, 14701 SW 17 Court

As the applicant was not present, this item was deferred to the end of the meeting. (As the application did not appear, no action was taken on this item.)

Mayor Venis announced that item 7.4 was requested to be tabled to January 22, 1997.

Councilmember Santini made a motion, seconded by Councilmember Kiar, to table item 7.4 to January 22, 1997. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

Mayor Venis announced that item 8.1 had been withdrawn by staff. He added that item 8.2 was inadvertently placed on agenda; however, this item was previously tabled to January 22, 1997. Mayor Venis stated that this item would be placed on the January 22, 1997 agenda.

Mayor Venis announced that item 8.3 was requested to be tabled to January 22, 1997.

Vice-Mayor Cox made a motion, seconded by Councilmember Kiar, to table item 8.3 to January 22, 1997. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

Mayor Venis announced that item 8.4 was requested to be tabled to February 5, 1997.

Councilmember Santini made a motion, seconded by Councilmember Kiar, to table item 8.4 to February 5, 1997. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

6. COUNCILMEMBER COMMENTS

COUNCILMEMBER BUSH

Councilmember Bush had nothing to bring before Council.

VICE-MAYOR COX

OLD DAVIE SCHOOL. Vice-Mayor Cox stated that the School would have its grand opening on January 31st and events would be held on February 1st. She noted that the building in front of the Old Davie School would be torn down once Griffin Road was widened.

RIDE-A-THON. Vice-Mayor Cox announced that the South Florida Trailriders would be holding a ride-a-thon on January 25th to benefit the Boys and Girls Club.

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OPEN SPACE. Vice-Mayor Cox stated that the interlocal agreement to begin the trail system around the Kapok Tree was on tonight's Consent Agenda for Council's consideration. She added that there was also a resolution for a contract to begin the remodeling process of the Robbins Lodge.

COUNCILMEMBER SANTINI

DEVELOPMENT. Councilmember Santini stated that the next five years was important to the Town's development and encouraged everyone to continue to work together.

ROADWAY IMPROVEMENTS. Councilmember Santini stated that the Department of Transportation had published its 1997 roadway improvements and new projects. She indicated that the intersection of University Drive and 30th Street was scheduled for turn lanes and State Road 84 from 136th Avenue east was being repaved and improved.

COUNCILMEMBER KIAR

HOLIDAYS. Councilmember Kiar hoped everyone had a happy holiday season.

THANKS. Councilmember Kiar thanked the Kiwanis Club for its Christmas party for the less affluent children in the community.

VISITORS. Councilmember Kiar stated that he had visitors from Israel who were impressed with the Town.

BROOKWOOD. Councilmember Kiar stated that he attended a party at Brookwood which housed up to 16 females who were being assisted during times of trouble. He indicated that 10 of the 16 females were from the Town and the home was in need of funds which he hoped the Town would consider with its charitable funds. Councilmember Kiar advised that he would ask Bea Schwartz to speak under his name at the next Council meeting to explain what Brookwood was accomplishing.

MAYOR VENIS

HOLIDAYS. Mayor Venis hoped everyone had a happy holiday season.

POLICE ATHLETIC LEAGUE. Mayor Venis stated that he attended the League's annual Christmas party for the children in the area.

DEBRIS. Mayor Venis stated that he received a letter regarding debris located by the Village of Lake Pine and asked Assistant Town Administrator Robert Rawls to look into the matter.

FUNDRAISER. Mayor Venis stated that a wrestling fundraiser would be held at Western High School on January 18th to benefit the Flamingo Elementary School.

CRIME STOPPERS WEEK. Mayor Venis stated that he received a letter from Crime Stoppers to declare the week of February 16 - 23, 1997 as Crime Stoppers Week.

COMPLIMENTS. Mayor Venis stated that he had received a letter complimenting Police Officer J.F. Smith who saved the life of the letter writer's mother who was found unconscious.

7. CONSENT AGENDA

Minutes

7.1 November 25, 1996 - Special Meeting

7.2 December 4, 1996 - Regular Meeting

Proclamation

7.3 National Volunteer Blood Donor Month - January 1997

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Resolutions

7.4 STAFF REQUESTING A TABLING TO JANUARY 22, 1997

AQUACULTURE FACILITY - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING AN AMENDMENT TO A MANAGEMENT AGREEMENT WITH NOVA SOUTHEASTERN UNIVERSITY FOR THE OPERATION OF AN AQUACULTURE FACILITY. (tabled from December 18, 1996)

- R-97-4 **7.5 AFTER SCHOOL DAY CARE PROGRAM - A RESOLUTION OF THE TOWN**
OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH WEST BROWARD YMCA TO OPERATE AN AFTER SCHOOL DAY CARE PROGRAM. (remuneration to the Town - 50¢/day per child)

- R-97-5 **7.6 BIDS - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING**
THE BIDS FOR EKG MONITORS/DEFIBRILLATORS/PACERS, DEPARTMENT OF VETERANS AFFAIRS, FEDERAL SUPPLY SCHEDULE CONTACT NUMBER V797P3902J. (\$39,599)

- R-97-6 **7.7 TEMPORARY COMMUNICATIONS TOWER - A RESOLUTION OF THE**
TOWN OF DAVIE, FLORIDA, AUTHORIZING THE TOWN ADMINISTRATOR TO EXECUTE AN AGREEMENT WITH BELLSOUTH MOBILITY TO USE PUBLIC LANDS FOR A FEE FOR THE ERECTION OF A TEMPORARY COMMUNICATIONS TOWER. (location: I-595 and Nob Hill Road; rental fee - \$1,250/month)

- R-97-7 **7.8 TRANSPORTATION IMPROVEMENT PROJECT - A RESOLUTION OF THE**
TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT BETWEEN THE STATE OF FLORIDA OFFICE OF TOURISM, TRADE AND ECONOMIC DEVELOPMENT AND THE TOWN OF DAVIE FOR A TRANSPORTATION IMPROVEMENT PROJECT. (Oakes Road/Burris Road roadway improvement project; estimated cost of project - \$1,673,000; grant funding - \$1,373,000)

- R-97-8 **7.9 TRAINING - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA**
AUTHORIZING EXTENDED TRAVEL FOR OFFICER KATHY HART, OFFICER CRAIG RICHARDS AND OFFICER MICHAEL HOMENICK OF THE DAVIE POLICE DEPARTMENT. (\$750 - total cost for Community Oriented Policing)

- R-97-9 **7.10 ARENA RENTAL - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA,**
AUTHORIZING THE TOWN OF DAVIE TO ENTER INTO A RODEO ARENA LEASE AGREEMENT WITH THE EVERGLADES APRAPOCA

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HORSE CLUB, INC. (August 1 - 2, 1997; arena rental - \$1,000)

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- R-97-10 7.11 **ARENA RENTAL - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA,**
AUTHORIZING THE TOWN OF DAVIE TO ENTER INTO A BERGERON RODEO GROUNDS LEASE AGREEMENT WITH THE BROWARD COUNTY AIRBOAT, HALFTRACK AND CONSERVATION CLUB. (March 9, 1997; arena rental - \$300)
- R-97-11 7.12 **FUNDING APPLICATION - A RESOLUTION OF THE TOWN OF DAVIE,**
FLORIDA, AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR, AND APPROPRIATE STAFF TO SUBMIT AN APPLICATION FOR FUNDING FOR THE 1997 SUMMER CAMP PROGRAM ADMINISTERED BY THE BROWARD COUNTY BOARD OF COUNTY COMMISSIONERS CHILDREN'S SERVICES BOARD IN THE AMOUNT OF \$34,500.00
- R-97-12 7.13 **FUNDING APPLICATION - A RESOLUTION OF THE TOWN OF DAVIE,**
FLORIDA, AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR, AND APPROPRIATE STAFF TO SUBMIT AN APPLICATION FOR FUNDING FOR THE 1997 DASH TO ORANGE PROGRAM ADMINISTERED BY THE BROWARD COUNTY BOARD OF COUNTY COMMISSIONERS CHILDREN'S SERVICES BOARD IN THE AMOUNT OF \$30,000.00
- R-97-13 7.14 **FUNDING APPLICATION - A RESOLUTION OF THE TOWN OF DAVIE,**
FLORIDA, AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR, AND APPROPRIATE STAFF TO SUBMIT AN APPLICATION FOR FUNDING FOR THE 1997 DASH TO PAL PROGRAM ADMINISTERED BY THE BROWARD COUNTY BOARD OF COUNTY COMMISSIONERS CHILDREN'S SERVICES BOARD IN THE AMOUNT OF \$30,000.00
- R-97-3 7.15 **INTERLOCAL AGREEMENT - A RESOLUTION OF THE TOWN OF DAVIE,**
FLORIDA, AUTHORIZING THE TOWN OFFICIALS TO ENTER INTO AN INTERLOCAL AGREEMENT WITH BROWARD COUNTY PROVIDING FOR THE CONSTRUCTION AND MAINTENANCE OF APPROXIMATELY 3,600 LINEAR FEET OF MULTI-PURPOSE TRAIL BY THE TOWN OF DAVIE AT THE FLAMINGO ROAD NATURAL AREA WITHIN THE TOWN OF DAVIE; AUTHORIZING THE APPROPRIATE TOWN OFFICIALS TO ACKNOWLEDGE SUCH APPROVAL BY AFFIXING THEIR SIGNATURES TO SUCH DOCUMENT; AND PROVIDING AN EFFECTIVE DATE
- R-97-14 7.16 **REVISION TO SUBDIVISION PLAT - A Resolution of the Town of**
Davie, Florida, authorizing a revision to previously approved Subdivision plat and providing an effective date. (DG 12-1-96, West Park - West Plat)

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R-97-15 7.17 **REVISION TO SUBDIVISION PLAT - A** Resolution of the Town of Davie, Florida, authorizing a revision to previously approved Subdivision plat and providing an effective date. (DG 12-2-96, West Park - East Plat)

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R-97-16 7.18 **REVISION TO SUBDIVISION PLAT** - A Resolution of the Town of Davie, Florida, authorizing a revision to previously approved Subdivision plat and providing an effective date. (DG 12-3-96, West Park - Hotel Plat)

R-97-17 7.19 **CONTRACT - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA,**
AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH ARCHITECT JEFF FALKANGER & ASSOCIATES INCORPORATED TO PREPARE CONSTRUCTION BID DOCUMENTS FOR REMODELING ROBBINS LODGE.

R-97-1 7.20 **ANNEXATIONS - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA IN**
OPPOSITION TO PROPOSED PEMBROKE PINES BILLS TO ANNEX 2,770 ACRES KNOWN AS SUNSHINE RANCHES AND ANOTHER BILL TO ANNEX 4,470 ACRES KNOWN AS SOUTHWEST RANCHES; AND IN SUPPORT OF A REQUEST BY THE UMBRELLA GROUP, SOUTHWEST RANCHES HOMEOWNERS ASSOCIATION, FOR PEMBROKE PINES TO STEP BACK AND ALLOW THE SOUTHWEST RESIDENTS TO EXPLORE ALL THEIR OPTIONS IN AN EFFORT TO MAKE THE RIGHT CHOICE FOR THEIR FUTURE WITHIN A TIME FRAME TO BE ESTABLISHED BY THE SOUTHWEST RANCHES HOMEOWNERS ASSOCIATION; PROVIDING AN EFFECTIVE DATE.

Ordinances - First Reading (Public Hearing to be held January 22, 1997)

7.21 **CODE AMENDMENT** - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE TOWN OF DAVIE, ARTICLE X, PLANNING AND DEVELOPMENT, BY CREATING SECTION 12-299.1 ENTITLED, "DEFERRAL OF PUBLIC HEARING APPLICATIONS"; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

7.22 **CODE AMENDMENT** - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING SECTION 15-8 OF THE TOWN CODE BY EXEMPTING THE DAVIE OWNED RODEO ARENA FROM THE PROVISIONS OF THE NOISE DISTURBANCE ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

An unidentified woman (Judy Paul) asked that items 7.16, 7.17, 7.18 and 7.20 be removed.

Town Clerk Reinfeld read the ordinances - first reading by title only. Mayor Venis advised that a public hearing on items 7.21 and 7.22 would be held on January 22, 1997.

Councilmember Santini made a motion, seconded by Councilmember Kiar, to approve the Consent Agenda without items 7.16, 7.17, 7.18 and 7.20. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

7.16, 7.17 and 7.18 Gavle Easterling, Planning and Zoning Manager explained the

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revisions to the subdivision plats.

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Judy Paul, 14421 SW 24 Street, asked about the road impact at the intersection of State Road 84 and 136th Avenue for this type of development. Ms. Easterling explained the access that was being provided.

Phyllis Kowal was concerned with the revision. Councilmember Kiar provided a history of the property and the lawsuit/settlement. A brief discussion followed with Mr. Webber indicating that he could review the settlement regarding concurrency.

Santiago Echemendia, representing the applicant, stated that it was his understanding that the impact fees would be paid pursuant to the current ordinance instead of the ordinance that was in effect when the lawsuit was settled. He explained that the property was exempt from roadway concurrency as it related to Broward County. Mr. Echemendia advised that the matter before Council was modifications to the plat and explained that the open space was being redistributed and increased from 1.2 acres to 3.2 acres. He added that the single family homes from the West Park parcel were being moved to the north side of the Shenandoah development which was more compatible. Discussion followed.

Vice-Mayor Cox made a motion, seconded by Councilmember Kiar, to approve. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

7.20 Mr. Flatley explained the resolution and indicated that a meeting would be held on January 13th at the Pembroke Pines City Hall and read the resolution in its entirety.

Judy Paul indicated that the acreage should be 2,770 not 2.770 and questioned what the Town's plan was for making presentations to the unincorporated areas. Mayor Venis responded that a presentation had already been made to the Ivanhoe Estates residents. Mr. Flatley indicated that additional presentations would be made to other homeowners groups and added that the move by Pembroke Pines was against the resident's wishes. Vice-Mayor Cox added that the Town was not being aggressive, however, the Town had made it known that it was interested in annexing the properties.

Arthur Joseph, 13700 SW 18 Court, questioned why the Town did not contract its fire/rescue services to the unincorporated areas. Vice-Mayor Cox responded that Mr. Joseph was discussing a property that part of Cooper City.

Councilmember Santini made a motion, seconded by Councilmember Kiar, to approve. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

8. PUBLIC HEARINGS

8.1 WITHDRAWN BY STAFF

VARIANCE - V 4-2-96, New Town Commerce Center, Ltd., 3801 - 4131 NW 47 Avenue (M-3) (tabled from September 4, 1996)

This item was withdrawn.

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8.2 VARIANCE - V 10-2-96, Gross/LDG Corp., 4490 SW 64 Avenue (B-2) (1 - to reduce the required lot size from 52,500 square feet to 18,303.8 square feet; 2 - to reduce the minimum lot depth from 200 feet to 104.81 feet on Davie Road and from 200 feet to 161.33 feet on Orange Drive; 3 - to reduce the required front setback from 10 feet to 0 feet along Davie Road; 4 - to reduce the required number of landscape islands after every 10 parking spaces from 1 landscape island to 0 landscape islands; 5 - to reduce the required landscape strip from 4 feet to 0 feet adjacent to the north property line and adjacent to the north building facade; 6 - to reduce the required open space ratio from 30% to 23.6%) (tabled from December 18, 1996) *Planning and Zoning Division: 1, 2 and 3 approved subject to conditions and 4, 5, and 6 denied; Planning and Zoning Board approved*

This item was inadvertently placed on the agenda and on December 18th, this item had been tabled to January 22, 1997.

Ordinances - Second and Final Reading

8.3 STAFF REQUESTING A TABLING TO JANUARY 22, 1997

REZONING - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, CHANGING THE CLASSIFICATION OF CERTAIN LANDS WITHIN THE TOWN OF DAVIE FROM B-1, B-2 and RM-5 TO RM-10 and CF; AMENDING THE TOWN ZONING MAP TO COMPLY THEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (ZB 11-2-96, Goray Development Company/Chase Joint Venture, 10700 State Road 84)

This item was previously tabled in the meeting.

8.4 STAFF REQUESTING A TABLING TO FEBRUARY 5, 1997

IMPACT FEE - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, ADOPTING THE TOWN OF DAVIE IMPACT FEE ORDINANCE FOR POLICE, FIRE, AND EMERGENCY MEDICAL SERVICES FACILITIES; PROVIDING FOR A SHORT TITLE, AUTHORITY AND APPLICABILITY; PROVIDING FOR INTENT AND PURPOSE; PROVIDING FOR DEFINITIONS AND RULES OF CONSTRUCTION; PROVIDING FOR THE IMPOSITION OF THE FAIR SHARE IMPACT FEE; PROVIDING FOR A FEE SCHEDULE; PROVIDING FOR ANALYSIS; PROVIDING FOR CREDITS; PROVIDING FOR REVIEW OF THE ORDINANCE AND FEE SCHEDULE; PROVIDING FOR ACCOUNTABILITY; PROVIDING FOR LIBERAL CONSTRUCTION AND SEVERABILITY; PROVIDING FOR PENALTIES; AND PROVIDING AN EFFECTIVE DATE. (tabled from December 18, 1996)

This item was previously tabled in the meeting.

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8.5 CHARTER AMENDMENTS - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING VARIOUS PROVISIONS OF THE CHARTER OF THE TOWN OF DAVIE; PROVIDING FOR SUBMISSION OF SAME TO THE ELECTORATE AT THE MUNICIPAL GENERAL ELECTION TO BE HELD ON MARCH 11, 1997; PROVIDING FOR APPROVED AMENDMENTS TO BE INCORPORATED INTO THE CHARTER OF THE TOWN; AND FOR THE FILING OF THE REVISED CHARTER WITH THE DEPARTMENT OF STATE OF THE STATE OF FLORIDA; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. (tabled from December 18, 1996)

Town Clerk Reinfeld read the ordinance by title. Mr. Webber explained that Council had approved the Charter changes in their existing form at the time of the ordinance's first reading. He indicated that changes were recommended at a subsequent special meeting; however, there was not sufficient time to make substantial changes to any portion of the ordinance due to the deadline of the Broward County Supervisor of Elections Office. Mr. Webber advised that if Council wanted to make changes that were substantial in nature, Council could delete that portion and place the remaining portions on the ballot. He stated that any portions that were deleted, could be considered at a subsequent election.

Charter Review Timeframes

Council discussed the Charter Review Board's recommendation of five years versus ten years as indicated in the ordinance with a recommendation to compromise to seven years.

Mayor Venis asked if anyone wished to speak on this item.

Judy Paul, 14421 SW 24 Street, agreed with the compromise.

Dean Alexander, 13820 SW 16 Street, agreed with the compromise coupled with a required citizen board. Mr. Webber clarified that the requirement for the citizen board was not accepted by Council.

Al Tyler, 8090 SW 19 Court, indicated that Council should accept the Board's recommendation "in toto".

Mayor Venis closed the public hearing.

Councilmember Bush made a motion, seconded by Councilmember Kiar, to approve with the seven years. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - no; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 4-1)

Council Powers and Duties - 11(C)

Mr. Webber explained the Charter section. Mayor Venis asked if anyone wished to speak on this item.

Arthur Joseph, 13700 SW 18 Court, discussed staff's recommendation to change "shall" to "may" which he was opposed to.

Judy Paul, 14421 SW 24 Street, discussed staff's recommendation to change "shall" to "may" which she was opposed to.

Al Tyler, 8090 SW 19 Court, recommended that the Board's recommendation of "shall" be accepted.

Mayor Venis closed the public hearing.

Mr. Webber advised that if the current language was changed to "shall", the change would be a substantial change because this would make it mandatory.

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Councilmember Santini made a motion, seconded by Councilmember Bush, to leave the language as it was. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

Public Input at Meetings

Mr. Webber explained the Board's recommendation with Council discussion following. He indicated that adding this provision would be a substantial change as it had not been accepted previously by Council. Mayor Venis recommended that this issue be deferred for discussion at another election.

Mr. Joseph recommended that Town Clerk Reinfeld notify the papers each month of the current public input policy.

Insurance and Surety Bonds - 12(P)

Mr. Webber explained the Board's recommendation with Council discussion following.

Mayor Venis asked if anyone wished to speak on this item.

Al Tyler, 8090 SW 19 Court, discussed the need for competitive bidding. He said that the Town should hire the League of Cities as a consultant to recommend who should insure the Town or put the insurance out for direct bid.

Laurrelle Crawford-Kuvin, 2151 South Hiatus Road, discussed the need for competitive bidding.

Larry Kuvin stated that he was an attorney who represented insurance companies and he represented the City of Homestead for over 16 years. He indicated that he had not been given an opportunity to self-insure the town. Mr. Kuvin recommended that money not be wasted on an insurance consultant.

Mayor Venis closed the public hearing.

Mr. Webber indicated that adding this provision would be a substantial change as it had not been accepted previously by Council. Mayor Venis stated that this issue would need to be deferred for discussion at another election. Councilmember Santini indicated that staff had been instructed to prepare an ordinance to review the insurance on an annual basis and to compare.

Mr. Webber stated that changes to Section 14(F), Vacating or Abandoning Streets, had not been accepted by Council and any changes would be substantial. He added that the Board's recommendation to add a Charter section on amendments would also be substantial.

Annual Review of Notes and Bonds - 12(S)

Mr. Webber explained the Board's recommendation and said that this language was not accepted by Council.

Mayor Venis asked if anyone wished to speak on this item.

Al Tyler, 8090 SW 19 Court, agreed with the Board's recommendation. Councilmember Santini indicated that the cost was looked at at the time of the bond.

Edna Moore, 6553 Stirling Road, questioned the cost of the consultant for the first Charter amendment and said that the Town would have to comply with State Statutes. She said that if the Board's recommendations were not accepted, the old Charter contained the safeguards.

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Laurrelle Crawford-Kuvin stated that the Board spent hours discussing the terms shall, should or may. She indicated that the Board wanted the residents to receive more notice on issues and the Board wanted the Town run efficiently to save money. Ms. Crawford added that the Board's recommendation had to do with the consultant's fees for negotiating the bonds.

Mayor Venis closed the public hearing.

Mr. Webber stated that the Board's recommendation did not place any mandatory requirement on Council and he felt that this would not be a substantial change. Councilmember Santini indicated that the recommendation was for an annual review and if there were no bonds to be issued, there could not be a review. She added that she agreed with the intent of the Board but not for an annual review. Vice-Mayor Cox suggested that "annual" be removed. Mr. Webber advised that he had a problem with the word "bids" because if it was not mandatory, this was misleading and provided suggested wording: There shall be a review of the firms and/or companies handling notes and bonds for the Town including but not limited to competitive fees, interest and other service charges.

Councilmember Santini made a motion, seconded by Vice-Mayor Cox, to approve. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

Town Plan - 14(A)

Mr. Webber explained the Board's recommendation.

Mayor Venis asked if anyone wished to speak on this item.

Dean Alexander questioned the staff's recommendation of adding "where appropriate" by asking who would interpret what was appropriate. Mayor Venis and Councilmember Kiar indicated that they had no problem with the Board's recommendation. Discussion followed.

Judy Paul discussed possible changes in the future.

Edna Moore stated that the Town was not rural but the trails and parks could be protected. She said that placing a rural requirement in the Charter would not allow anyone to do anything.

Al Tyler disagreed with Ms. Moore.

Arthur Joseph, 13700 SW 18 Court, stated that he would like the Board's wording adopted and agreed with Mr. Alexander.

Mayor Venis closed the public hearing.

Vice-Mayor Cox suggested that "this policy shall not be in conflict with individual property rights" be added.

Vice-Mayor Cox made a motion, seconded by Councilmember Kiar, to add language that this policy shall not be in conflict with individual property rights. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

Mr. Webber stated that the Board's recommendation to make the Fire Department Section consistent with the Police Department Section would be a substantial change. Mayor Venis indicated that this Section would be deferred.

Franchise Grants - 19(A)

Mr. Webber explained the change.

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Al Tyler, 8090 SW 19 Court, questioned the change. Mr. Webber indicated that the ordinance basically adopted the recommendation of the Board. Mr. Tyler stated that the Board did not want competitive negotiations but it did want competitive bidding. Councilmember Santini explained that you could not have competitive bidding with some firms (i.e., Florida Power & Light) because it was a sole source.

Bill Laystrom, 1177 SW 3 Avenue, indicated that Charter amendments needed to be reviewed carefully to avoid loss of flexibility to make decisions. Mayor Venis closed the public hearing.

Councilmember Santini made a motion, seconded by Councilmember Bush, to approve with "negotiations or bidding". In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

Councilmember Bush discussed the current wages for Council and requested public input on this issue. He suggested that the Council's wage be increased to \$800 or "not delete it completely".

Al Tyler, 8090 SW 19 Court, recommended that there be a 100% increase in Council's pay along with a cost of living adjustment.

Laurrelle Crawford-Kuvin indicated that it was the general feeling of the Board that Council was underpaid and discussed the benefits that Council was receiving. She indicated that the Charter section was recommended to read as salary instead of compensation.

Mr. Webber indicated that the ordinance could be clarified if there was an ambiguity to what was intended and added that the ordinance could also be amended to show that expenses were to be determined by ordinance.

Mr. Webber stated that the ordinance would need to return to Council again so that Council act on the finalized ordinance. After some discussion, it was decided that a special meeting would be held on January 15th at 5:30 p.m. Mayor Venis inquired if there would be another public hearing. Mr. Webber replied negatively.

Mr. Webber asked if there was any action taken on the Council salary issue. He indicated that this section could be changed to indicate that in addition to the salary, Council would receive an expense allowance to be determined by ordinance.

Councilmember Bush made a motion, seconded by Councilmember Santini, to accept Mr. Webber's verbiage. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

Councilmember Kiar made a motion, seconded by Councilmember Santini, to table the ordinance until January 15th at 5:30 p.m. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

At a previous meeting, Mayor Venis had indicated that the public would be able to address other sections of the Charter. Mr. Webber advised that a motion to reconsider was needed.

Councilmember Bush made a motion, seconded by Vice-Mayor Cox, for reconsideration. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

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Restriction of Employment of Relatives - 10(l)(1)

Laurrelle Crawford-Kuvin indicated that the Board's recommendation was to adopt the Florida State Statutes and stated that she did not know if the proposed language was unconstitutional. Mr. Webber explained the proposed change and indicated that there was certainly a distinction between allowing relatives to become employed in the same department and prohibiting people who were already employed from marrying. Ms. Crawford-Kuvin stated that the residents should be protected from favoritism and the proposed language did not prevent this. Councilmember Santini indicated that supervision of a relative would not be allowed. Ms. Reinfeld added that staff had indicated that an ordinance or resolution would be prepared. Mr. Webber also added that the Statutes applied to the Town and the proposed language was more restrictive.

Dean Alexander stated that this issued was raised several years ago and added that there was a gap that Councilmembers were not held to the same standards as the employees in some ethical matters. He asked that Council reconsider the proposed language.

There were no other speakers on this item.

Vice-Mayor Cox made a motion, seconded by Councilmember Santini, to table item 8.5 to January 15, 1997. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

**8.6 VACATION OF RIGHT-OF-WAY/EASEMENTS - AN
ORDINANCE OF THE**

97-1 TOWN OF DAVIE, FLORIDA, VACATING A PORTION OF ROAD RIGHT-OF-WAY AND EASEMENTS FOR PORTIONS OF WEST PARK-WEST PARCEL, WEST PARK-EAST PARCEL AND WEST PARK-HOTEL SITE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. (VA 11-1-96, Poinciana Homes of Broward, Inc., 13900 State Road 84)

Town Clerk Reinfeld read the ordinance by title.

Mayor Venis asked if anyone wished to speak for or against the ordinance. As no one spoke, the public hearing was closed.

Councilmember Santini made a motion, seconded by Vice-Mayor Cox, to approve. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

**8.7 REVISION TO A CONCEPTUAL MASTER PLAN - AN
ORDINANCE OF**

97-2 THE TOWN OF DAVIE, FLORIDA, AMENDING ORDINANCE 96-006 BY CHANGING SECTION 1.b. TO PROVIDE FOR A REVISION TO THE APPROVED CONCEPTUAL MASTER PLAN ASSOCIATED WITH THE REZONING APPROVAL; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (ZB 10-1-96, Atlantic Gulf Communities/Silverado Development Corp., 4300 SW 160 Avenue)

Town Clerk Reinfeld read the ordinance by title.

Mayor Venis asked if anyone wished to speak for or against the ordinance.

Bill Laystrom, 1177 SE 3 Avenue, explained the reason for the ordinance.

Mayor Venis closed the public hearing.

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Vice-Mayor Cox made a motion, seconded by Councilmember Kiar, to approve. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

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8.8 REZONING - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA,

97-3 **CHANGING THE CLASSIFICATION OF CERTAIN LANDS WITHIN THE TOWN OF DAVIE FROM B-2 TO B-3; AMENDING THE TOWN ZONING MAP TO COMPLY THEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (ZB 10-2-96, Kerr/PIE Realty Investments, Inc., 6650 Stirling Road)**

Town Clerk Reinfeld read the ordinance by title.

Mayor Venis asked if anyone wished to speak for or against the ordinance. As no one spoke, the public hearing was closed.

Councilmember Bush made a motion, seconded by Councilmember Kiar, to approve. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

8.9 REZONING - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA,

97-4 **CHANGING THE CLASSIFICATION OF CERTAIN LANDS WITHIN THE TOWN OF DAVIE FROM M-2 TO B-2; AMENDING THE TOWN ZONING MAP TO COMPLY THEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (ZB 11-1-96, Gunster, Yoakley, Valdes-Fauli & Stewart/Poinciana Homes of Broward, Inc., 13700 Financial Boulevard)**

Town Clerk Reinfeld read the ordinance by title.

Mayor Venis asked if anyone wished to speak for or against the ordinance.

Al Tyler, 8090 SW 19 Court, asked for an explanation on the M-2 and B-2 classifications which Ms. Easterling provided. Mr. Tyler indicated that he did not have any problem with the ordinance.

Mayor Venis closed the public hearing.

Vice-Mayor Cox made a motion, seconded by Councilmember Kiar, to approve. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

8.10 REZONING - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA,

97-5 **CHANGING THE CLASSIFICATION OF CERTAIN LANDS WITHIN THE TOWN OF DAVIE FROM A-1 TO M-2; AMENDING THE TOWN ZONING MAP TO COMPLY THEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (ZB 11-3-96, Associated Engineers and Surveyors, Inc./Herndon, 5100 SW 48 Street)**

Town Clerk Reinfeld read the ordinance by title.

Mayor Venis asked if anyone wished to speak for or against the ordinance. As no one spoke, the public hearing was closed.

Councilmember Santini made a motion, seconded by Vice-Mayor Cox, to approve. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

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8.11 REVISION TO A CONCEPTUAL MASTER PLAN - AN ORDINANCE OF

97-6

THE TOWN OF DAVIE, FLORIDA, AMENDING ORDINANCE 88-73 BY CHANGING SECTION 1.b. TO PROVIDE FOR A REVISION TO THE APPROVED CONCEPTUAL MASTER PLAN ASSOCIATED WITH THE REZONING APPROVAL; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (ZB 11-4-96, Ridge Plaza Investment Holdings, Inc., 9000-9200 State Road 84)

Town Clerk Reinfeld read the ordinance by title.

Mayor Venis asked if anyone wished to speak for or against the ordinance. As no one spoke, the public hearing was closed.

Vice-Mayor Cox made a motion, seconded by Councilmember Santini, to approve. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

Ordinance - First Reading (second public hearing and final reading of ordinance - January 22, 1997)

8.12 CODE AMENDMENT - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE TOWN OF DAVIE, SECTION 12-32(C) ENTITLED, "TABLE OF PERMITTED USES (C), BUSINESS PARK AND INDUSTRIAL DISTRICTS," TO PERMIT VEHICLE, BOAT AND TRUCK SALES IN THE BP DISTRICT; AMENDING SECTION 12-34(CC), ENTITLED, "DETAILED USE REGULATIONS (CC), VEHICLE, MOBILE HOME, RECREATIONAL VEHICLE, BOAT SALES, RENTALS" TO LIMIT TRUCK SALES IN THE BP DISTRICT TO AN ACCESSORY USE AND TO INCREASE THE MINIMUM LANDSCAPED AREA REQUIREMENT IN THE BP AND CC DISTRICTS RELATING TO VEHICLE, TRUCK AND RECREATIONAL VEHICLE SALES; AMENDING SECTION 12-54, TABLE 12-54, ENTITLED, "NONRESIDENTIAL PERFORMANCE STANDARDS," REFLECTING THE INCREASED MINIMUM LANDSCAPED AREA REQUIREMENT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Reinfeld read the ordinance by title.

Mayor Venis asked if anyone wished to speak for or against the ordinance.

Ms. Easterling indicated that staff was requesting a change to page 2, Section 3, which would be changed to read "open space ratio" for purposes of clarification. Later during the discussion, Ms. Easterling indicated that the title of the ordinance would also be amended to reflect this change.

Bill Laystrom, 1177 SE 3 Avenue, spoke in favor of the ordinance and displayed a site plan.

Matt Morrall, 2455 East Sunrise Boulevard, spoke in favor of the ordinance.

Edna Moore questioned the open space requirement which Ms. Easterling explained.

Mayor Venis closed the public hearing.

Councilmember Kiar made a motion, seconded by Councilmember Santini, to approve. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini -

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yes. (Motion carried 5-0)

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9. DISCUSSION AND POSSIBLE ACTION

9.1 Review and Comments regarding Thomas Connick's letter

Mr. Webber advised that he had forwarded the letter to the Town's counsel who had prepared a response. Sarah Bleakley, representing Neighbors, Giblin and Nickerson, discussed the constitutionality of exempting churches from the EMS assessment. She discussed separating churches and educational facilities into two categories. Lengthy discussion followed with Ms. Bleakley indicating that her company was more comfortable with the Town's current assessment process.

Mr. Webber indicated that if a resolution was approved separating the churches and educational facilities as indicated in the package that was provided by Ms. Bleakley, approximately \$46,000 would be deleted from the assessment. He recommended that a resolution be placed on the January 22nd Council meeting.

Vice-Mayor Cox stated that the \$46,000 would have to come from a Town fund and could not be paid by the residents or other businesses. She indicated that she did not want to take this amount from the contingency and added that this amount needed to be taken from the grant money that was to be used for the organizations that helped the Town's residents. Councilmember Santini agreed.

10. TOWN ADMINISTRATOR'S REPORT

10.1 Building A Better Davie Program

Later in the meeting, Mr. Flatley advised that a Design Award Program would be established for residential, commercial, industrial and institutional categories. He stated that the awards would be presented at the Economic Development Council's annual banquet in October. No objections were noted by Council.

Ms. Easterling indicated that Council considered a variance for the West Broward Professional Center on October 2, 1996 and added that revisions needed to be made to the plan. She advised that the Code provided that a variance could not be considered again within one year, Council approval was needed.

Vice-Mayor Cox made a motion, seconded by Councilmember Santini, to approve. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

RESOLUTION. Mr. Flatley distributed and explained a resolution that needed to be added to the agenda.

Councilmember Kiar made a motion, seconded by Councilmember Santini, to approve. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

**10.2 A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA,
AUTHORIZING THE**

R-97-2 **TOWN OF DAVIE TO ENTER INTO AN AGREEMENT BETWEEN
BROWARD COUNTY, THE TOWN OF DAVIE, AND THE BOY CLUBS
OF BROWARD COUNTY, INC. FOR THE INSTALLATION OF
BANNERS ON COUNTY STREETLIGHT POLES ALONG CERTAIN
STREETS WITHIN THE TOWN OF DAVIE.**

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Councilmember Kiar made a motion, seconded by Vice-Mayor Cox, to add a resolution as item 10.2. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

Mr. Flatley advised that meetings had been held with the Lauderdale Isles residents and it was agreed that the Town could "live" with a commercial designation instead of the industrial designation. He advised that a resolution would be provided at the January 22nd Council meeting; however, the Broward County Planning Council needed a letter confirming this agreement by January 9th.

Councilmember Santini made a motion, seconded by Councilmember Bush, to approve. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

11. ADJOURNMENT

There being no objections or further business, the meeting was adjourned at 11:17 p.m.

APPROVED _____

Mayor/Councilmember

Town Clerk